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IN THE SUOREME COURT OF THE UNITED STATES

OCTOBER TERM, 1980

NO. 80-5551

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SUPREME COURT, U.S.

WILLIAM E. CONRAD, APPELLANT

ORIGINAL COPY

V.

WARREN E. BURGER, ET AL.

ON APPEAL FROM THE UNITED STATES DISTRICT
COURT FOR THE DISTRICT OF COLUMBIA

REPLY TO MOTION TO DISMISS

William E. Conrad
WILLIAM E. CONRAD
2856 DIVIDEND PARK DR.
FLORISSANT, MO. 63031

December 13, 1980

Copy mailed to: Solicitor General, Dept. of Justice, Washington, D.C.
1 copy enclosed pursurant to Justice Burgers approval granted in petitioners letter of October 13, 1980

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Page 1- Note 1: Appellee fails to mention service of summons and process quashed, never delivered. Court is without jurisdiction over subject matter, parties, or to render a decision. (Act of September 24, 1789 1 Stat.73,91 #32)

Note 1 (a): Appellant sent in Notice of Appeal to the U.S. District Court of D.C. with Motion to file in forma pauperis to release this petitioner of the $5.00 filing fee, well within the court's authority, as forma pauperis had been granted in the complaint.

Page 1: "The court cited five previous actions brought in the district court in support of its dismissed order."

Since when in American Jurisprudence can a judge without bias and prejudice, not a party, enter a cause to submit his own evidence, without rebuttal, decide in favor of defendants, never served, on issues of his own evidence exclusively.

Appellant filed a proper petition under notice provisions of the federal rules of civil procedure, wherein evidence or other materials are not necessary, but only fair notice and a short and simple statement.

Page 2: This court lacks the authority to ignore it's duty under the United States Constitution and Statutes made pursuant to it. Has no power to dismiss this Appeal, Writ of Error. (Act of September 24, 1789 1 Stat. 73,91 #32) Rules of the court cannot overrule Statutes.

Page 2 Note2: (Re 238Judicial Code) Appelee admits "This provision was limited by amendment in the Act of February 13,1925...."

But not Repealed. Act of March 3 1891 ch.517 26 Stat. 827 #5 is still Supreme Law of the Land made pursuant to the United States Constitution.

Appelee asserts"broader jurisdictional grant was withdrawn by repeal of Section 236 of the Judicial Code (43 Stat.941 (1925)".

Section 236 states: "The Supreme Court shall have appellate jurisdiction in the cases hereinafter specially provided for."

All that the Act of February 13,1925 section 13 (43 Stat.941 (1925)). did was to repeal section 236 that was presumed law, codified law, prima facie law, but did not repeal Act of March 3,1891 ch.517 #5, 26 Stat.827 here in issue.

United States Congress and United States Supreme Court cannot do that which the Constitution prohibits; 1. enforce a Bill of Attainder. 2. Repeal vested Rights. 3. Withdraw Due Process of Law.

Enclosed 1976 Edition The Code of Laws of the United States of America citing the enabling act of June 30, 1926 Pub. l. No.440 ch.713 44 Stat.777.

"In case of any inconsistency arising through omission or otherwise between the provisions of any section of this Code and the corresponding portion of Legislation heretofore enacted effect shall be given for all puproses whatsoever to such enactments."
(Stephan v U.S. 63 S. Ct. 1135, Wong Yang Sung v McGrath 70 S.Ct.445)

I did not raise the issue 28 USC 1253,1254,2101(e),2109.

I did not raise the issue regarding 28 USC 455 and leave the issue to the courts conscience.

I am offended that the solicitor general deceitfully reminds this court, this petitioner has in the past filed an affidavit of bias and prejudice under 28 USC 455. I have and will again if this court does not apply the Laws of the United States and the Constitution of the United States.

Under the Rules appellees reply was to be an affirmative defense, not omissions or raising of negative issues that have no application as presumptive law, codified law, prima facie the law, where there are in effect Statutes at Large that apply to the issues.

The Court must dismiss Appellee's Motion to Dismiss.

William E Conrad

William E. Conrad
2856 Dividend Park Dr.
Florissant, mo.63031
December 13, 1980

THE CODE OF LAWS

OF THE

UNITED STATES OF AMERICA

OF A GENERAL AND PERMANENT CHARACTER IN FORCE JANUARY TWENTIETH, NINETEEN HUNDRED AND SEVENTY-SEVEN

1976 EDITION

CONSOLIDATED, CODIFIED, SET FORTH, AND PUBLISHED IN NINETEEN HUNDRED AND SEVENTY-SEVEN, IN THE TWO HUNDRED AND FIRST YEAR OF THE REPUBLIC, UNDER THE SUPERVISION OF THE OFFICE OF THE LAW REVISION COUNSEL OF THE HOUSE OF REPRESENTATIVES, PURSUANT TO THE DUTY AND AUTHORITY IMPOSED UPON IT BY SECTION TWO HUNDRED AND EIGHTY-FIVE-B OF TITLE TWO

THE CODE OF THE LAWS OF THE UNITED STATES OF AMERICA, 1925 EDITION

69th Congress

JUNE 30, 1926
[H. R. 10000]
[PUBLIC, No. 440]
Chapter 712
44 STAT. 777

AN ACT To consolidate, codify, and set forth the general and permanent laws of the United States in force December seventh, one thousand nine hundred and twenty-five

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the fifty titles hereinafter set forth are intended to embrace the laws of the United States, general and permanent in their nature, in force on the 7th day of December, 1925, compiled into a single volume under the authority of Congress, and designated "The Code of the Laws of the United States of America."

SEC. 2. In all courts, tribunals, and public offices of the United States, at home or abroad, of the District of Columbia, and of each State, Territory, or insular possession of the United States—

(a) The matter set forth in the Code, evidenced as hereinafter in this section provided, shall establish prima facie[1] the laws of the United States, general and permanent in their nature, in force on the 7th day of December, 1925; but nothing in this Act shall be construed as repealing or amending any such law, or as enacting as new law any matter contained in the Code. In case of any inconsistency arising through omission or otherwise between the provisions of any section of this Code and the corresponding portion of legislation heretofore enacted effect shall be given for all purposes whatsoever to such enactments.

(b) Copies of this Act printed at the Government Printing Office and bearing its imprint shall be conclusive evidence of the original of the Code in the custody of the Secretary of State.

(c) The Code may be cited as "U.S.C."

[1]See section 204 (a) of Title 1 regarding titles that are legal evidence of the law.